Managing Confidentiality and Technology-When "Smart" is Not So Smart

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Learning Objectives

- Identify appropriate uses of technology and social media in the health care environment.
- Recognize the challenges to confidentiality posed by technology.
- Analyze case situations that challenge appropriate use of social media.
- Discuss how regulators and investigators can use Social Media.

Use Social Media….Who Me?

- Search Engines:
    - Google, Bing, Yahoo
- Traditional Social Media:
    - Facebook, twitter, pinterest
- Webcrawler/record aggregator:
    - Spokeo, People Finder, Switchboard,

Traditional Social Media

- The familiar networks
    - Facebook: *845+ million active users*
    - Twitter: *200+ million active users*
    - Youtube: *4 Billion views/day*
    - Linkedin: *147+ million active users*
- The smaller "boutique " networks
    - Internal communications
    - Professional groups
        - Information Sharing

Murray, 2012

Small town comes to the big and not so big city.

- Social media changes communication:
    - Advantage: Small town atmosphere
    - Disadvantage: Small town atmosphere

Social Media Explained
The Donut

- **Twitter**: I'm eating a donut
- **Facebook**: I like donuts
- **FourSquare**: This is where I eat donuts
- **Instagram**: A vintage photo of my donut.
- **You Tube**: Here I am eating my donut
- **Linked in**: My skills include donut eating.
- **Pinterest**: Here's a donut recipe
- **Last FM**: I'm listening to a donut.
- **G+**:I am a Google employee who eats donuts.

Social Media
## A Powerful Resource

Social media is no longer just social

- It is a powerful resource for marketing and for consumer engagement.
- It is a powerful resource for professional development
- It is a powerful resource for patient centered care.

Hughes, 2012

Patient Centered Care
How effective with or without social media

- How does the patient remain central to the health care they receive?
- What role does communication play?
- If patients are in it? Can we afford to be out of it?
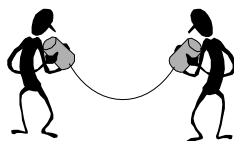
Discipline Specific

- Sermo
- Physician Connect
- Professional Organizations
          Blogs, tweets etc.

The Good

- Help patients access illness support networks
    - www.Patientsikeme.com
- Short visit to the practitioner can become a longer engagement.
    - View equipment set up
    - Review medication administration
    - Review of Home Exercise Program
- Continuous flow of relevant information

Laffel, 2012, Brownstein, 2009

The Bad

- Challenge to previously well-defined and easy to maintain personal and social boundaries.
    - Should I accept friend requests from patients?
    - Do I trust input from unknown colleagues on Sermo or professional blogs?
    - What is my liability if I miss a patient tweet

Laffel, 2012, Agichtein 2008

Technology
Native or Immigrant

- The Blurring of the lines....
- The challenges are often more for the native
  Maintaining the personal archive while forging the professional identity.

Laffel, 2012

Just a few facts to consider…
Facebook

- 25% of users don't bother with any privacy controls.
- The <u>average</u> facebook user has 130 friends.
- More than 350 million users suffer from Facebook addiction syndrome.
- Links about sex are shared 90 percent more than any other link.

Economist, Social Times, CNN, 2012

A few more facts to consider…
Twitter

- 750 tweets per second are shared.
- If Twitter were a country it would be the 12th largest in the world.
- 30% of twitter users have an income of over $100,00.
- Twitter handles over 24 billion search queries per month (More than Bing 4.1billion and Yahoo 9.4 billion combined).

Compete, BNN News, 2012

And a few more facts…
Linkedin

- Two members sign up per second
- 161 members in 200 countries
- More than 1 million Linkedin groups

Linkedin Press Centre, 2012

And don't forget….

- Google+
  - 2/3 Male, student #1 occupation
- YouTube
  - Originally started to share files that were too big for email.
- Blogging
  - 3 million new blogs come on line each month
- Pinterest
  - 1.3 million visitors per day, 97% are women
- Instagram
  - 5 million images are uploaded every day

Google Investor Reports, Techzine, Tecnorati, Modea, Instagram press center, 2012

Social Media on the Go

- Phones: 42% of phones in US and 44% in Europe are smartphones.
- Tablets took two years to reach 40 million users it took smart phone 7 years to get there.
- China has the most users 1 billion
- UK twice as many smartphone users as cigarette smokers.

Comscore and SoMobile 2012

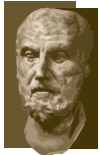## Professional Boundaries
Communication/Confidentiality

- Move the line
- Hold the line
- Adjust the line

The Oath of Hippocrates
On Confidentiality

- "Whatever, in connection with my professional service, or not in connection with it, I see or hear, in the life of men, which ought not to be spoken of abroad."

Oath of Hippocrates. In:Harvard Classics, Volume 38.
Boston:P.F. Collier and Son, 1910.

Boundary Blurring

- University of Florida Study:
  - 44% of medical students at UF Medical school maintained Facebook profiles, 37% made the entries private.
  - 10 randomly selected medical students revealed 7 with photos showing driving and 5 implied excessive drinking.
  - Warnings...are they too little? Too late?

Thompson, 2011

Social Media

- Like any New Technology, we are wondering how to best use it.
- The Social Media Risk Benefit Ratio

Social Media
Professional Guidance
and /Or Regulation?

- Professional Guidance
  - AMA
  - ANA
  - APTA
- Regulation

AMA, 2010, ANA 2011, APTA 2012

## USING SOCIAL MEDIA IN YOUR INVESTIGATIONS

- Search for unlicensed practice
- Search licensee's "friends" and connections
- Search licensee mobility state to state
- Search for any mention of issue
- Cellular phone records

Key points for investigators

- If you are looking, you can be found
- Talk to your IT department about the needs of your job (use of social media and web searches)
- Does your state/department policy on what is considered entrapment

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Case Discussion

Review of Social Media cases across the professions.
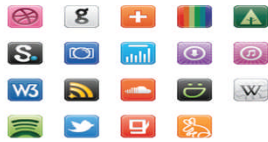
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